

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Pascal R. Passaga
Colleen M. Passaga**
Debtor(s)

Bankruptcy Case No.: 19-20120-GLT
Issued Per 2/25/2019 Proceeding
Chapter: 13
Docket No.: 28 - 14
Concil. Conf.: July 11, 2019 at 01:30 PM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated December 6, 2018 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☒ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Jul. 11, 2019 at 01:30 PM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Claim No. 2 of PNC Bank .
- ☒ H. Additional Terms: The secured claim(s) of the following Creditor(s) shall govern as to claim amount, to be paid at the modified plan terms: Claim No. 4 of One Main Financial.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Gregory A. Taddonio, Judge
United States Bankruptcy Court

Dated: March 1, 2019

cc: All Parties in Interest to be served by Clerk in seven (7) days

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 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Pascal R. Passaga
 Colleen M. Passaga
 Debtors

Case No. 19-20120-GLT
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: dbas
 Form ID: 149

Page 1 of 2
 Total Noticed: 29

Date Rcvd: Mar 01, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 03, 2019.
 db/jdb

cr +Pascal R. Passaga, Colleen M. Passaga, 1291 West Laurel Circle,
 Mount Pleasant, PA 15666-2185
 +CITIMORTGAGE, INC., C/O POWERS KIRN, LLC PENNSYLVANIA OFFICE,
 8 NESHAMINY INTERPLEX DRIVE SUITE 215, TREVOSSE, PA 19053-6980
 14976334 Chase Slate, PO Box 15123, Wilmington, DE 19850-5123
 14976336 +Citi Mortgage, P.O. Box 9438, Department 0251, Gaithersburg, MD 20898-9438
 14996671 CitiMortgage, Inc., P.O. Box 688971, Des Moines, IA 50368-8971
 14976337 Comenity Capital Bank, 2420 Sweet Home Road, Suite 150, Amherst, NY 14228-2244
 14976338 Commonwealth of PA, Department of Revenue, Department 280905, Harrisburg, PA 17128-0905
 14976339 Discover, PO Box 742655, Cincinnati, OH 45274-2655
 14976340 Equiant Financial Services, PO Box 78843, Phoenix, AZ 85062-8843
 14976341 First Data Global Leasing, 2385 Genessee Street, Cheektowaga, NY 14225
 14976342 +Marlin Leasing, 300 Fellowship Road, Mount Laurel, NJ 08054-1727
 14976343 +Michael Gavin, Jr., 11 Dewitt Drive, Sidney, NY 13838-1305
 14976344 One Main Financial, 2160 Summit Ridge Plaza, Mount Pleasant, PA 15666-1992
 14976345 One Main Lending, 2160 Summit Ridge Plaza, Mount Pleasant, PA 15666-1992
 14976346 +PNC Bank, 2730 Liberty Avenue, Pittsburgh, PA 15222-4747
 14991134 +PNC Bank, N.A., 3232 Newmark Drive, Miamisburg, OH 45342-5421
 14976347 Sears Credit Cards, PO Box 9001055, Louisville, KY 40290-1055
 14976348 Synchrony Bank/Care Credit, c/o Apothaker Scian PC, PO Box 5496,
 Mount Laurel, NJ 08054-5496
 14976349 Sysco Corporation, c/o Suzanne L. Dewalt, Esq., 28th Floor, Two PNC Plaza,
 Pittsburgh, PA 15219
 14976350 +Tag Holdings LLC, 30260 Oak Creek Dr, Wixom, MI 48393-2430
 14976352 +Watson, Mundorff & Sepic LLP, 720 Vanderbilt Road, Connellsville, PA 15425-6218

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14976332 +E-mail/Text: amscbankruptcy@adt.com Mar 02 2019 03:39:30 ADT Security Services,
 3190 S. Vauhn Way, Aurora, CO 80014-3512
 14976333 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Mar 02 2019 03:42:00 Capital One Bank,
 PO Box 71083, Charlotte, NC 28272-1083
 14998202 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Mar 02 2019 03:42:24
 Capital One Bank (USA), N.A., by American InfoSource as agent, PO Box 71083,
 Charlotte, NC 28272-1083
 14996766 +E-mail/Text: bankruptcy@capvs.com Mar 02 2019 03:39:02 Cavalry SPV I, LLC,
 500 Summit Lake Drive, Ste 400, Valhalla, NY 10595-2321
 14985565 E-mail/Text: mrdiscen@discover.com Mar 02 2019 03:37:36 Discover Bank,
 Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
 14991525 +E-mail/PDF: cbp@onemainfinancial.com Mar 02 2019 03:42:16 OneMain, PO Box 3251,
 Evansville, IN 47731-3251
 14976698 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Mar 02 2019 03:42:05
 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 14976351 E-mail/PDF: gecsed@recoverycorp.com Mar 02 2019 03:42:45 Walmart Mastercard/SYNCB,
 PO Box 960024, Orlando, FL 32896-0024

TOTAL: 8

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr PNC BANK NATIONAL ASSOCIATION
 cr* +PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 14980040* +ADT Security Services, 3190 S. Vauhn Way, Aurora, CO 80014-3512
 14980041* Capital One Bank, PO Box 71083, Charlotte, NC 28272-1083
 14976335* Chase Slate, PO Box 15123, Wilmington, DE 19850-5123
 14980042* Chase Slate, PO Box 15123, Wilmington, DE 19850-5123
 14980043* Chase Slate, PO Box 15123, Wilmington, DE 19850-5123
 14980044* +Citi Mortgage, P.O. Box 9438, Department 0251, Gaithersburg, MD 20898-9438
 14980045* Comenity Capital Bank, 2420 Sweet Home Road, Suite 150, Amherst, NY 14228-2244
 14980046* Commonwealth of PA, Department of Revenue, Department 280905, Harrisburg, PA 17128-0905
 14980047* Discover, PO Box 742655, Cincinnati, OH 45274-2655
 14980048* Equiant Financial Services, PO Box 78843, Phoenix, AZ 85062-8843
 14980049* First Data Global Leasing, 2385 Genessee Street, Cheektowaga, NY 14225
 14980050* +Marlin Leasing, 300 Fellowship Road, Mount Laurel, NJ 08054-1727
 14980051* +Michael Gavin, Jr., 11 Dewitt Drive, Sidney, NY 13838-1305
 14980052* One Main Financial, 2160 Summit Ridge Plaza, Mount Pleasant, PA 15666-1992
 14980053* One Main Lending, 2160 Summit Ridge Plaza, Mount Pleasant, PA 15666-1992
 14992407* +OneMain, PO Box 3251, Evansville, IN 47731-3251
 14980054* +PNC Bank, 2730 Liberty Avenue, Pittsburgh, PA 15222-4747
 14980055* Sears Credit Cards, PO Box 9001055, Louisville, KY 40290-1055
 14980056* Synchrony Bank/Care Credit, c/o Apothaker Scian PC, PO Box 5496,
 Mount Laurel, NJ 08054-5496
 14980057* Sysco Corporation, c/o Suzanne L. Dewalt, Esq., 28th Floor, Two PNC Plaza,
 Pittsburgh, PA 15219
 14980058* +Tag Holdings LLC, 30260 Oak Creek Dr, Wixom, MI 48393-2430
 14980059* Walmart Mastercard/SYNCB, PO Box 960024, Orlando, FL 32896-0024

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Page 2 of 2
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Date Rcvd: Mar 01, 2019

***** BYPASSED RECIPIENTS (continued) *****

14980060* +Watson, Mundorff & Sepic LLP, 720 Vanderbilt Road, Connellsville, PA 15425-6218
TOTALS: 1, * 24, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 03, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 1, 2019 at the address(es) listed below:

Abagale E. Steidl on behalf of Joint Debtor Colleen M. Passaga asteidl@steidl-steinberg.com,
julie.steidl@steidl-steinberg.com;leslie.nebel@steidl-steinberg.com;abby.steidl@me.com;r53037@not
ify.bestcase.com;rlager@steidl-steinberg.com;kmeyers@steidl-steinberg.com
Abagale E. Steidl on behalf of Debtor Pascal R. Passaga asteidl@steidl-steinberg.com,
julie.steidl@steidl-steinberg.com;leslie.nebel@steidl-steinberg.com;abby.steidl@me.com;r53037@not
ify.bestcase.com;rlager@steidl-steinberg.com;kmeyers@steidl-steinberg.com
Harry B. Reese on behalf of Creditor CITIMORTGAGE, INC. harry.reese@pkallc.com,
chris.amann@pkallc.com;nick.bracey@pkallc.com;samantha.gonzalez@pkallc.com;jill@pkallc.com;mary.r
aynor-paul@pkallc.com;amanda.rauer@pkallc.com
James Warmbrodt on behalf of Creditor PNC BANK NATIONAL ASSOCIATION bkgroup@kmlawgroup.com
Jill Manuel-Coughlin on behalf of Creditor CITIMORTGAGE, INC. jill@pkallc.com,
chris.amann@pkallc.com;nick.bracey@pkallc.com;samantha.gonzalez@pkallc.com;harry.reese@pkallc.com
;mary.raynor-paul@pkallc.com;amanda.rauer@pkallc.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 7